

City of Alturas ~ Planning Application Package

VARIANCE From Zoning Ordinance Requirements

PURPOSE: The purpose of a Variance (V) is to permit limited exceptions to Zoning Ordinance requirements. This can only be authorized by the Planning Commission at a public hearing, and only under the conditions indicated in “When To Use” (below).

LEGAL AUTHORITY:

- Zoning Ordinance Section 28.52.050
- State Government Code Section 65906 and 65906.5.

WHEN TO USE: The City will consider a Variance Application when:

- Strict application of the Zoning Ordinance deprives a property owner of privileges enjoyed by other property owners in the vicinity (under an identical zone classification) due to special circumstances applicable to the property (including size, shape, topography, location or surroundings); and
- Conditions can be imposed that will ensure that the authorized adjustment to the Zoning Ordinance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated; and
- Where the granting of the variance shall not authorize a use or activity which is not otherwise expressly authorized by the zone; and
- All “Required Documents and Fees” (as noted below) have been submitted to the City Clerk.

RELATIONSHIP TO OTHER PERMITS: Administrative and Sign Permits must be processed as separate permits from the Variance (when they are required) as they are renewed periodically and do not establish rights that run with the land (as Variances do). Use Permits may be processed concurrently with Variances, but they must be processed as a separate application due to the unique findings that must be made. Projects requiring a Variance may still require Site Plan review as Variances do not establish compliance with any of the Site Planning and Development Standards of Article 4.

HOW TO PROCEED: Property owners interested in a Variance should call the City Clerk at (530) 233-2512 to arrange a consultation with the City Planner before submitting the Required Documents and Fees.

REQUIRED DOCUMENTS AND FEES

✓	Item	Description
1	Application Intake Form	Completed by the City Planner
2	General Information Form (<i>attached</i>)	Provides general property description, as well as ownership and contact information. <i>Waived if provided as part of another permit processed at the same time.</i>

✓	Item (continued)	Description
3	Fees	<p>\$ 675 “Stand Alone” Variance (no other planning permit involved)</p> <p>-or-</p> <p>\$ 300 Adjunct Variance (a variance processed with another permit that already requires a public hearing)</p> <p><i>Please note: If approved, the form of decision will need to be recorded with the County and the Applicant will be responsible for any recordation fees.</i></p>
4	Site Plan	<p>A reproducible map, drawn to scale, preferably 8 ½ x 11” in size, showing ALL EXISTING EASEMENTS, IMPROVEMENTS and STRUCTURES, both surface and subsurface, including the location of onsite septic systems, sewer lines, wells, water mains, dwellings, and accessory structures. Site Plan should also show any easements adjacent to the subject property.</p> <p><i>Said Site Plan may be drawn by the property owner as long as it meets the above requirements. The Site Plan requirement is waived if this information is provided as part of another permit processed at the same time.</i></p>
5	Illustrations, Plans Descriptions and/or Photographs <i>(as needed to clarify or support request)</i>	<p>Variance requests relating to building set-backs can typically be processed with the Site Plan (described above) to illustrate the request. However, variance applications requesting a reduction in parking, special signage, additional building height or another physical change might benefit from added illustrations, plans, descriptions or photographs to help clarify and support the request. Please discuss this issue with the City Planner (before turning in your application) to get a better understanding of what additional information might help the City process your request.</p>

DESCRIPTION OF APPLICATION PROCESSING: Since incomplete applications cannot be processed, please be sure the application materials you submit include all the material requested above.

Once application materials are submitted, the City Planner will review them and confirm whether or not the application is complete, and will schedule it for hearing in front of the Planning Commission. A letter confirming the completeness of the application and hearing date will be mailed to the applicant at that time (usually within two weeks of application receipt).

The decision of whether or not to issue a variance is made by the Planning Commission in a public hearing. The purpose of the hearing is to allow all interested parties a chance to provide their input to the decision makers before a decision is rendered. Therefore, once the application is complete, an announcement of the hearing will be mailed to all property owners and tenants within 300 feet of the subject property. The announcement will contain a brief description of the project and the variance process, as well as the type of environmental determination the project is recommended to receive.

Attendance at the Planning Commission hearing is recommended, but not required. ***If approved***, the owner will receive a Notice of Approval, and the form of decision will be recorded with the County Recorder’s Office once the recordation fee has been received from the Applicant. ***If denied***, the

applicant may file an appeal of the decision to the City Council. All appeals must be submitted to the City Clerk (at 200 West North Street, Alturas, CA 96101) in writing (accompanied by a \$350 appeal fee) within 10 days of receipt of the decision letter (determined by the date on the letter or the postal cancellation stamp on the envelope, whichever is later). Once received, the appeal will be scheduled to be heard at the next available City Council meeting.
